IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Writ Petition No.8348 of 2006

1. Shri Pachpeer Narayan Gaikwad & ors. ... Petitioners

v/s.

1. The Managing Director, Dena Bank & ors. ... ... Respondents

Mr.V.S. Deokar for petitioners.

Mr.A.P. Shetty for respondents.

CORAM : SMT.RANJANA DESAI &

SMT.ROSHAN DALVI, JJ.

Dated : 22nd November 2007

P.C. :

1. The petitioners claim to be working in the 1st respondent-bank for last about 21 years. They have prayed that a direction be issued to the 1st respondent-bank to give service benefits to the petitioners by giving permanent status in service with consequential benefits with arrears of salary with effect from respective appointments of the petitioners.

2. Learned counsel for the petitioners has drawn our attention to the waiting list dated 14.6.1985. He states that the

petitioners' names are mentioned in the said waiting list. He submitted that this fact may be considered and necessary directions may be given.

3. Learned counsel for the 1st respondent-bank has told us that the petitioners have worked as casual or temporary workers with the 1st respondent-bank. There is no dispute about this fact.

4. In view of judgments of the Supreme Court in **Secretary, State of Karnataka & Ors. vs. Umadevi (3) & ors. (2006) 4 SCC 1** and **Surendra Prasad Tewari vs. U.P. Rajya Krishi Utpadan Mandi Parishad & ors.2007 (1) All MR 461**, it is not possible for us to give any directions which are prayed for by the petitioners.

5. Needless to say that whenever there is any vacancy, if the proper procedure is followed and the petitioners are eligible in the light of the aforementioned two judgments, the petitioners could be appointed to permanent posts. As of today, the petitioners cannot claim permanent appointments as of right.

6. Petition disposed of in the aforesaid terms.

(SMT.RANJANA DESAI, J.)

(SMT.ROSHAN DALVI, J.)